Notice of the Village of Volente Regular Council Meeting, Tuesday, May 17, 2011, 7:00 P.M. At VVFD and Community Center, 15406 FM 2769, Volente, Texas.

A quorum of the Planning & Zoning Commission and the Board of Adjustments may be present. \mathbf{AGENDA}

A. ITEMS OPENING MEETING

1. Call to order. Mayor Justine Blackmore-Hlista

2. Roll Call City Secretary

3. Pledge to the Flag and reading of the Village Vision Statement:

B. CITIZEN COMMUNICATIONS: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting. Three (3) minute time limit.

C. GENERAL BUSINESS AND ACTION ITEMS

- 4. Pedernales representative to give update on new communication program
- 5. Discussion and recommendations from May 11, 2011 P&Z meeting. (Commissioner Lourens Commissioner Yarbrough)
 - a. Recommendation on seven variance request from applicant Ron Murray
 - b. Recommendation on Replat and site plan for lot 13 C Lake Travis Subdivision No 2, Volente
 - c. Recommendation regarding conflict in Site Development Sec. 33.344 B7
- 6. Discussion on replat application and variances requested by Ron Murray for Lot 13C, Lake Travis Subdivision No. 2, Volente,
- 7. Discussion and possible action on recommendation of conflict in Site Development Sec. 33.344 B 7. Storm water Detention Waiver Eligibility.
- 8. Consideration and possible approval of:
 - a. 4/25/11 minutes
 - b. Financial reports for April
 - c. Renewal of lease agreement with VVFD & VOV
- 9. Update on coordination with Travis County for Debbie Drive overlay. (Councilmember Hammond and Mayor Pro Tem Graber)
- 10. Discussion and possible action to approve a resolution urging the LCRA to ban floating habitable structures on Lake Travis. (Mayor Blackmore-Hlista)

- 11. Discussion and possible action regarding investigation of alternate route for PEC's electric feeder upgrade. (Councilmember Wilder and Councilmember Graci)
- 12. Discussion and possible action on WTP4 presentation held at the Volente firehall. (Councilmember Graci)
- 13. Discussion of speed reduction options along Booth Circle between the entrance of FM 2769 and street curve in front of Bob & Isabelle Evans' house. (Lake Travis Subdivision 1 lot 100) (Mayor Pro Tem Graber)
- 14. Discussion and possible action regarding purchase of sound meter to support enforcement of noise ordinance. (Councilmember Graber)
- 15. Update from staff regarding pending and active permits within the Village. (City Secretary)
- 16. Discussion regarding the May Farmers Market. (Councilmember Hammond)
- 17. Administer oaths of office and election certificates to elected officials.

D. Adjourn

If you have questions or comments, please contact the Village Office at (512) 250-2075.

window on ____day of ______, 2011 Jennifer Zufelt, City Secretary____

The Village of Volente reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any enforcement of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).

	to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal vided to those who provide notice to the Village Office at (512) 250- 2075 at least 48 hours in advance.
I certify that a copy of the	, agenda of items to be considered by the Council of the Village of Volente was posted on the
Jennifer Zufelt, City Secretary Legrify that the attached notice an	d agends of items to be considered by the Village Council was removed by me from the Village Office

Volente Vision Statement

We the Citizens of the Village of Volente believe in:

- Civic Pride
- Environmental Awareness
- Minimal Government
- Diversity and Friendship
- Privacy and Individuality

We are dedicated to remaining united and working together as friends, neighbors, and citizens for the protection and preservation of the natural beauty and uniqueness of our country Village and family way of life.

We will endeavor to protect the quality of life for future generations and ourselves. We envision a cohesive lakeside Village that promotes harmony and diversity of community, inclusive of all socioeconomic strata and age groups. We will protect our environment and ensure responsible and appropriate land use. We will keep our right to remain private in our daily lives, but at the same time promote civic pride and sense of community.

We believe in minimal government regulation and taxation. As empowered citizens we will constructively participate in, question, and oversee our elected government. We understand the community will be provided to protect this vision and our core values.

Volente P&Z Commission

Memo

To: Volente Council

From: Ken Beck, Chair, P&Z

Date: May 12, 2011

Re: P&Z Report and Recommendations to Council

P&Z held it's monthly meeting on Wednesday, May 11th, delayed by one week so that we could establish a quorum. Missing from the meeting was Felix Hernandez. The following is a summary of our areas of discussion as well as two recommendations to the council for items submitted to P&Z for action.

- 1. Ron Murray submitted a request for a Final Replat of his subdivision along with a site plan for the two new lots to be created from his existing lot 13C in Lake Travis Subdivision No. 2. Along with the request for the replat of the subdivision was a request for seven (7) variances to allow this action to take place. After much discussion, the commission voted three to one to recommend approval of the variances, and then voted three to one to approve the replat of the subdivision. Ron is dealing with an historically odd shaped lot of almost five acres in size that was subdivided into three odd shaped lots. This request was to split the largest of those three lots into two new lots, each of over one acre in size. The majority of the commission felt that a best effort was made to conform to our ordinances, but that the odd shape of the lots caused variance requests that were not in violation of our chartered responsibilities in our ordinances to assure safety and no harm.
- 2. The commission reviewed the Village ordinance for "Stormwater Detention Waiver" and the potential conflict with State of Texas law on water drainage and flow to downstream properties, and voted four to zero to recommend that the council remove this provision from our ordinances. This review and action were driven by the recent discussions and review of the Isle Estates subdivision.
- 3. The commission assigned to Ruan the task of reviewing our swimming pool ordinances, specifically the fencing requirements around pool pumping equipment in regards to noise. Ruan will also review how the village's noise ordinance applies to this situation and will make recommendations at our next meeting.
- 4. No submission was yet in hand on the replat of the Isle Estates Subdivision so the chair brought the rest of the commission up to date on meetings with our engineer and the engineering firm for Isle Estates. Key is their agreement to plat notes and restrictive covenants that will limit the impervious cover on the eight lots to roughly 16.5% each with a requirement that a 3000 gallon rainwater harvesting system be installed for each home as well. The commission will be reviewing and recommending to council changes to our existing ordinances to recognize rainwater harvesting and

PHONE

FAX

WEB

- other methods of water detention, control, and filtration that can allow the Village to grant credits toward the impervious cover limit for an individual lot. These changes will be in synch with the LCRA Highland Lakes Watershed Ordinance and will be modeled after ordinances in Bee Caves and Dripping Springs.
- 5. Considerable discussion occurred around the variance process in our ordinances, and the direction received from council that it prefers that ordinances not be modified to account for non-standard or unique situations, but that the ordinance process cause the P&Z and the Village council to review and decide on each situation individually. This specifically applies to small (less than one acre) and irregular existing lots within the village boundaries.

Meeting adjourned at approximately 9:40 pm.

Respectfully, Ken Beck, P&Z Chair

Village of Volente Special Called Council Meeting, Monday, April 25, 2011, 7:00 P.M. At VVFD and Community Center, 15406 FM 2769, Volente, Texas.

MINUTES

A. ITEMS OPENING MEETING

1. Call to order.

Mayor Justine Blackmore-Hlista called the meeting to order at 7:00PM.

2. Roll Call:

Those in attendance were Mayor Blackmore-Hlista, Mayor Pro Tem Graber, Councilmembers Scott, Wilder, Hammond and Graci. Village Attorney Tom Buckle and Village Engineer arrived shortly after the pledge.

3. Pledge to the Flag and reading of the Village Vision Statement:

Mayor Blackmore-Hlista led the pledge. Council member Wilder read the Vision Statement.

B. CITIZEN COMMUNICATIONS: No Comments

C. GENERAL BUSINESS AND ACTION ITEMS

4. Consideration and possible approval of:

a. 3/22/11 minutes: Councilmember Scott made a motion to approve the minutes and Councilmember Graci seconded. Mayor Blackmore-Hlista felt that the minutes could not be approved due to not having a quorum of members at the meeting. This item was tabled until can get clarification from the Village Attorney. Village Attorney stated it was fine to approve the minutes. Councilmember Graci made a motion to approve the minutes. Councilmember Scott seconded. The motion was approved unanimously.

4/8/11 minutes: Councilmember Hammond made a motion to approve the 4/8/11 minutes. Councilmember Graber seconded the motion. The motion was approved unanimously.

b. Financial reports for March:

Councilmember Scott reviewed the report with Council. Councilmember Wilder made a motion to accept the financial report. Councilmember Hammond seconded. The motion was approved unanimously.

5. Discussion and possible action on issues with Isle Estates development. (see attached Memo)

Planning and Zoning Chair Ken Beck gave Council background on the Isle Estate Subdivision stating the issue now being impervious cover is only 11% per lot. Much discussion ensued. One issue is that village ordinance requires a road constructed by the developer must claim it as part of the impervious cover calculations. It was discussed and

suggested that they not have to claim Mary St. in the calculations and allow each lot owner to receive credit for rain water harvesting or other means of water quality detention. Village attorney stated that they would have to do a new subdivision plan.

6. Information update from Planning & Zoning and clarification of storm water detention and waiver from non point source ordinance. (P&Z Chair Ken Beck)

This item was discussed while discussing item # 5. P&Z Chair Beck would like to see a credit of no more than 5% impervious cover given for applicants who do rain water collection. Each applicant would have to request a variance for this to be granted.

7. Discussion and possible action regarding options for homeowner improvement of public right of way Amos Drive. (see attached Mayors Memo & Engineer memo)

Discussion ensued and for the village to accept and maintain the road it would have to be brought up to the road standards as required by the village ordinances. The homeowner is the only home on this road and they no issue's paving and maintaining the road if the Village agrees. They would also like to put a "no outlet" sign up. Mayor Blackmore-Hlista will compose a letter of consent to improve the ROW.

8. Update on discussions with WTP4 team regarding Bullick Hollow Rd duct bank work (See attached memo)

Mayor Blackmore-Hlista and Councilmember Graci had met with WTP4 Representatives and the following options:

- 1. Nighttime road closure 9:00PM-6:00AM Sunday –Thursday
- 2. Work will not begin until TXDOT completes work on Anderson Mill RD
- 3. Emergency calls will be relayed to construction team and lanes will be cleared
- 4. Plans are to extend the climbing lane to the top of the hill for the duration of the construction

9. Review of complaint from Nancy Womack regarding impact of neighbor's watering on aquifer and stacking of brush.

Council addressed the complaint that Ms. Womack has no water since the installation and use of landscape irrigation system by her neighbor, noting that the Council is unable to do anything to assist in this matter, stating this is between neighbors. Mayor Blackmore-Hlista will write memo to Ms. Womack.

10. Discussion regarding PEC electrical upgrade options and their potential impacts. Councilmember Wilder & Graci met with Greg Hammonds, of Volente Peak, Pete Brooks and others from Pedernales to discuss the possibility of routing the power lines through the Volente Peak property. A survey would need to be completed first at a cost of \$60,000-\$70,000. Council would like to have a tour of the area to evaluate and see how much clearing it would be. Councilmember Wilder stated he has an engineer who could do the evaluation.

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X Disposal under cleaned up by zardous waste
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Mayor
Mayor

Jennifer Zufelt, City Secretary

Village of Volente Revenue & Expense Budget vs. Actual October 2010 through April 2011

Oct '10 - Apr 11 Budget

		Oct '10 - Apr 11	Budget	% of Budget
Ordinary Inc	Ordinary Income/Expense			c
Inc	Income			
	4010 · Real Property Tax - Current Yr	185,202.47	180,614.00	102.54%
**	4020 · Penalties & Interest	458.89		
	4025 · Grants (Cap Metro)	0.00	40,000.00	0.0%
	4030 · Mixed Beverage Sales Tax	1,879.30	3,000.00	62.64%
	4040 · Franchise Fees	17,142.63	26,000.00	65.93%
	4050 · Sales & Use Taxes	18,027.25	23,000.00	78.38%
	4060 · Municipal Court Fees	0.00	100.00	0.0%
	4400 · Building Review Fees.	10,113.00	10,000.00	101.13%
	4401 · Subdivision Review Fee	2,440.00	10,000.00	24.4%
	4402 · Sign Permit Fees	660.00	1,500.00	44.0%
	4700 · Interest	157.63	500.00	31.53%
	4800 · Noise Study	0.00	5,150.00	0.0%
	4810 · Energy Grant	0.00	23,000.00	0.0%
	4930 · Parkland Fee Account	0.00	10,000.00	0.0%
***	4998 · Farmers Market	1,154.80		
	4999 · Uncategorized Income	1,314.96	1.00	131,496.0%
Tot	Total Income	238,550.93	332,865.00	71.67%
Gross Profit	rofit	238,550.93	332,865.00	71.67%
Exp	Expense			
	5020 · Wages Reg Employees	24,397.39	41,639.00	58.59%
	5025 · Part Time Office Assistant	0.00	5,000.00	0.0%
	5026 · Employment Taxes	1,986.67	4,000.00	49.67%
	5027 · Payroll Services	571.07	1,000.00	57.11%
	5028 · Emp Benefits Ins	3,786.18	5,550.00	68.22%
	5100 · Attorney	4,815.91	48,000.00	10.03%

Village of Volente Revenue & Expense Budget vs. Actual October 2010 through April 2011

										**						**															
	5221 · Firehall Rental	5220 · Dues, Fees, & Subscriotions	5219 · Books & Publications	5218 · Website Maintenance	5217 · Office Equipment & Furniture	5216 · Equipment Rental	5214 · Office Supplies - Postage	Total 5213 · Office Supplies printing	5213 · Office Supplies printing - Other	5215 · Brochure - Printing	5213 · Office Supplies printing	5212 · Office Supplies - General	Iotal 5217 · Events	SEL PROMO COMO	5211 · Events - Other	5201 · Farmers Market	5211 · Events	5210 · Election Expense	5136 · Noise Consultant	5130 · SpecialConsultant/Engineer	5128 · Advertising/Public Notices	5127 · Tax Collection - Travis Co	5126 · Grant Writer	5125 · Audit	5122 · Code Enforcement Wages	5121 · Contract Police Services	5120 · Special Engineering Consultant	5115 · Professional Services Non Reimb	5114 · Development Plan Review Reimb	5113 · Development Inspection Serv Rei	
	303.75	807.00	0.00	300.00	48.70	1,990.93	479.88	2,863.87	1,363.87	1,500.00		509.36	5,098.36	0.00	0.00	5 098 36		0.00	0.00	0.00	374.46	1,051.68	0.00	0.00	0.00	0.00	1,000.00	1,459.41	2,487.92	1,170.00	Oct '10 - Apr 11
1	2.000.00	1,000.00	250.00	300.00	1,175.00	3,300.00	1,750.00	1,750.00	1,750.00			1,500.00	2,500.00	2,300.00	2 500 00			1,000.00	5,150.00	18,000.00	1,000.00	1,787.00	100.00	5,500.00	10,000.00	6,000.00	10,000.00	15,000.00	10,000.00	10,000.00	Budget
	15.19%	80.7%	0.0%	100.0%	4.15%	60.33%	27.42%	163.65%	77.94%			33.96%	203.93%	0.0%	0.0%			0.0%	0.0%	0.0%	37.45%	58.85%	0.0%	0.0%	0.0%	0.0%	10.0% Don Rauschuber	9.73% Amy Spiro/ATS/Jay Engineering	24.88%	11.7%	% of Budget

Village of Volente Revenue & Expense Budget vs. Actual October 2010 through April 2011

		Oct '10 - Apr 11	Budget	% of Budget
	5222 · Utilities - Electric	576.16	1,500.00	38.41%
	5223 · Telephone Internet	860.72	1,800.00	47.82%
	5240 · Insurance, Liab/workers comp	1,014.17	2,550.00	39.77%
	5250 · Municipal Court Expenditures	0.00	8,000.00	0.0%
	5260 · ROW Herbicide	1,270.37	2,000.00	63.52%
	5261 · Mowing	614.06	2,500.00	24.56%
	5262 · Roads & ROW	0.00	6,000.00	0.0%
	5263 · Street Signs (New & Repairs)	775.27	1,500.00	51.69%
	5264 · Tree Trimming	0.00	11,500.00	0.0%
	5265 · Cap Metro Road Project	0.00	40,000.00	0.0%
	5266 · Energy Grant Project	10,124.00	23,000.00	44.02%
	5267 · Parkland	0.00	10,000.00	0.0%
	5281 · Training & Ed - St	0.00	1,000.00	0.0%
	5282 · Training & Ed - Council	305.00	1,764.00	17.29%
***	5900 · Lake Travis Economic Developmen	5,000.00		
1	6000 · Reserve	0.00	5,500.00	0.0%
0.224	66901 · *Reconciliation Discrepancies	-155.35		
Tota	Total Expense	75,886.94	332,865.00	22.8%
*** 1045	1045 · Lime Creek Escrow Interest	24,419.86		
				,
	Capital one checking balance 4/30/11	293,051.22		
	Savings Balance	447,397.10		
**	NOT IN ORIGINAL BUDGET			

Village of Volente Income Expense April 1 through May 1, 2011

	Apr 1 - May 1, 11
Income	
4010 · Real Property Tax - Current Yr	925.75
4020 · Penalties & Interest	34.53
4050 · Sales & Use Taxes	1,406.70
4401 · Subdivision Review Fee	2,440.00
4402 · Sign Permit Fees	70.00
4999 · Uncategorized Income	530.84
Total Income	5,407.82
Expense	
5020 · Wages Reg Employees	3,466.40
5026 · Employment Taxes	265.18
5027 · Payroll Services	76.67
5028 · Emp Benefits Ins	480.61
5100 · Attorney	592.50
5113 · Development Inspection Serv Rei	50.00
5222 · Utilities - Electric	102.44
5240 · Insurance, Liab/workers comp	120.50
5260 · ROW Herbicide	1,270.37
5261 · Mowing	614.06
Total Expense	7,038.73



March 29, 2011

Village of Volente Agreement with Volente Fire Volunteer Fire Department

The Volente Volunteer Fire Department agrees to allow the Village of Volente the use of office space in the Fire Hall and Community Center for the duration of one year with the agreement to be renegotiated at the end of the year.

The office space provided by the VVFD is approximately 12 feet by 28 feet northwest corner of Volente Fire Hall and Community Center

The year will be March 29, 2011 through March 28, 2012.

The Village of Volente will reimburse any out of pocket costs to the Volente Volunteer Fire Department.

Justine Blackmore-Hlista MAYOR

VILLAGE OF

VOLENTE

Frederick Graber MAYOR PRO-TEM

Judy Graci COUNCILMAN

Matthew Hammond COUNCILMAN

Mark Scott COUNCILMAN

Chris Wilder COUNCILMAN Utilities, heat and air conditioning will be furnished by the Village of Volente.

All necessary improvements, repairs, etc., to the space will be done by the Village of Volente.

SIGNED

DATE:

Scott Spurlin, President

VVFD Board

Justine Blackmore-Hlista, Mayor Village of Volente X/EM

Sec. 33.344 Drainage Amended 4/20/10 2010-0-116

A. <u>Application</u>: The Village drainage regulations shall govern the planning and design of storm drainage facilities within the Village and within all areas subject to its extraterritorial jurisdiction. Definitions, formulae, criteria, procedures and data shall comply with the City of Austin, Texas Drainage Criteria Manual (latest edition). In order to receive a variance to any of the criteria in this section, the applicant must receive approval from the council.

B. General:

- 1. In this section, any reference to storm water runoff shall mean that runoff is calculated to exist under fully developed conditions with no upstream detention, even if upstream detention exists.
- 2. All drainage facilities including streets, inlets storm sewers, and drainage facilities shall be designed to intercept and transport runoff from a 25-year frequency storm.
- 3. In addition to subsection (1) above, the drainage system shall be designed to convey to off site locations those flows greater than a 25-year frequency up to and including a 100-year frequency storm within defined rights-of-ways or drainage easements.
- 4. Peak flows shall not be increased at any location off the subject site for the two (2), ten (10), twenty-five (25), or one-hundred (100) year storm frequencies.
- 5. Regulation of peak flows to allowable levels as determined by the provisions of this section shall be achieved by storm water storage on-site or off-site. Storm water detention shall comply with the City of Austin, Texas Drainage Criteria Manual (latest edition).
- 6. For those developments which are immediately adjacent to and discharge directly into Lake Travis, on-site detention is not required. The landowner shall however realize that if any unforeseen condition requires some measure of protection, it will be his or her responsibility to identify such and make provisions within his or her design.
- Stormwater Detention Waiver Eligibility: A single-family residential development project is eligible for a waiver of stormwater management requirements for detention if the applicant can demonstrate that each individual single-family residential lot is greater than one (1) acre in area and impervious cover does not exceed twenty percent (20%). Developments of this nature are encouraged to utilize an open roadway section to limit the use of storm sewers to promote water quality enhancement in roadside swales.

Applicant should however realize that if an unforeseen condition (outfall erosion, etc) requires some measure of protection, it would be applicant's responsibility to identify such and make provisions within its drainage management. Discharge points shall include energy dissipation controls to mitigate increases in energy as a result of the development. Sheet flow shall be achieved prior to discharge from the development unless intervened by an existing channel or creek.

2011-R-68

FLOATING HABITABLE STRUCTURE RESOLUTION

WHEREAS, Lake Travis and the communities surrounding it contribute immeasurably to quality of life in the Central Texas region and beyond; and

WHEREAS, Lake Travis supplies the water for an urban metropolis that is frequently ranked as one of the best places in America to live or do business; and

WHEREAS, in September, 2010, the Lower Colorado River Authority (LCRA) staff reported to the Board that rapid population growth, rising property costs, and a trend toward changes in use and future development concepts to use the water surface on the Highland Lakes have the potential to impact water safety and water quality; and

WHEREAS, LCRA acknowledged that their Highland Lakes Marina Ordinance and other LCRA regulations do not specifically address nor define permissible floating habitable structures; and

WHEREAS, In October, 2010, LCRA's Board passed a resolution that established a moratorium until Oct. 31, 2011, on the construction of development of any floating habitable structures such as floating homes, floating residential developments, floating hotels and resorts, or any other floating structure that contains domestic or commercial living or sleeping quarters; and

WHEREAS, in accordance with Section 11.021 of the Texas Water Code, the water of Lake Travis is the property of the State of Texas, regardless of any private ownership of the underlying land, and

WHEREAS, Lake Travis is not a constant level reservoir and fluctuates in surface elevation constantly as a result of floods, droughts, and permitted water diversions, and

WHEREAS, floating habitable structures can pose a variety of health and safety challenges, including congestion that will interfere with established recreational uses by the public in shoreline areas; the provision of expedient and time-sensitive emergency services by police, fire fighters, and ambulances; and navigation of fishing, pleasure, and other watercraft; and

WHEREAS, limited space on floating habitable structures and fluctuating water levels will seriously compromise water quality when systems for the collection and conveyance of sewage, trash, and garbage fail and

NOW, THEREFORE, BE IT RESOLVED, that the Village of Volente supports the prohibition of any floating habitable structures defined as:

A structure used or designed as a dwelling, abode, domicile, or sleeping unit that is supported by floatation: usually containing cooking, eating, living, sleeping and/or sanitary facilities. This structure may be capable of navigation, but is not designed for primary navigation.

	PASSED AND APPROVED THIS	DAY OF MAY, 2011
		Justine Blackmore-Hlista, Mayor
ATTEST:		
Jennifer Zufelt,	City Secretary	

Construction Report

Start Date Address	Address	Owner name	Builder	Status	Variance	red tag/complaint CO	0	
2/23/2011	2/23/2011 15805 Buddy Ln	Belote	Belote	Permited	no		Garage	
4/5/2011	4/5/2011 7623 Debbie	DiRe	DiRe	Permitted	no		Garage	
	Village Pizzeria	Estes		Pending/under review			Commerc	erc
4/26/2011	4/26/2011 Started asbestos removal 4/26/11	ioval 4/26/11		completed				
pending	7804 Brandy Way	Redmond	Legacy DCS	Pending/under review			SFR	
				will be doing a replat				
4/27/2011	4/27/2011 15805 Booth Circle	Moumouris	Michael Lamendola	Demolition permit			demolish	sh
							For new cons	v cons
4/1/2011 8108 Joy	8108 Joy	Yates	Mark Collins	pending/under review				